

MORLEY BREGMAN  
4404 W. 25<sup>TH</sup> PLACE  
LAWRENCE KS 66047  
USA

June 15, 2004

Sandra L. Day, AICP  
Lawrence-Douglas County Metropolitan Planning Office  
P.O. Box 708  
Lawrence, Kansas 66044-0708

Dear Ms. Day:

Re: The Legends at KU, Phase II

I would like to state my opposition to the request by the Peridian Group, Inc. to rezone the tract of land south of 24<sup>th</sup> Place between Crossgate Drive and Inverness Drive. I am also opposed to the Preliminary Development Plan for The Legends at KU, Phase II.

My opposition revolves around the following points:

1. My detached single family residence is at 25<sup>th</sup> place just west of Inverness Drive. My wife and I have lived there since April of 2000. Prior to purchasing our home, I checked with the City Planning Office to find out the plans for the tract of land across Inverness Drive. I was told that the zoning approval and the development plan called for Senior's housing, ranging from low density "patio homes" at the western end through two storey apartments in the middle section to "assisted housing" at eastern end near Crossgate Drive. Given the character of the existing neighborhood and the plans for single family detached housing to the south of the tract, this plan seemed quite compatible, and, accordingly, I completed the purchase of my home.
2. The zoning and plan now proposed is not compatible with the existing land uses to the west and south of the site, where we have detached, single family residences as well as Southwest Junior High and Sunflower Elementary schools. I foresee conflicts in terms of noise and traffic problems generated by the higher density and the fact that the property will be marketed to KU students with quite different lifestyle interests from those in the family oriented existing neighborhood.
3. The developer of the property would be gaining an economic benefit from the added density beyond what was originally proposed. Any such benefit should accrue to the community at large and not the developer who had the original zoning and plan approved under a totally different concept. If the original plan is no longer economically feasible, as is claimed by the developer, that is really his problem and should not become the problem of the surrounding neighborhood. Perhaps the land should be dedicated as a local park.

Thank you for your consideration of my views.

Yours truly,



Morley Bregman

Zeki Oral  
4400 West 25<sup>th</sup> Place  
Lawrence, KS 66047

RECEIVED

JUN 21 2004

City County Planning Office  
Lawrence, Kansas

June 17, 2004

Sandra L. Day, AICP  
Lawrence-Douglas County Metropolitan Planning Office  
P.O. Box 708  
Lawrence, KS 66044-0708

Subject: The Legends at KU, Phase II

Dear Ms. Day:

I am writing to state my opposition against the request by the Peridian Group, Inc. to rezone the land between Crossgate Drive and Inverness Drive just south of 24<sup>th</sup> Place. I am also opposed to the Preliminary Development Plan submitted for The Legends at KU, Phase II.

My wife and I live in a single family dwelling on the corner of Inverness and 25<sup>th</sup> Street. Before we purchased our home in July of 2002, I called the city planners and asked about the zoning of the property across from our home as I specifically did not want to purchase the property if apartments would be built across the street. I was assured that apartments would not be built as the property was zoned for low density patio homes on the west side. I purchased my home based on this information. Had I known the property may be rezoned and had I seen the plan for The Legends, Phase II, I would have purchased a home elsewhere.

It is my understanding the The Legends II are marketed toward KU students. I am concerned for the safety of the nearby school children as a result of the increase in traffic due to the higher density of persons in the area. Bishop Seabury Academy, Southwest Junior High and Sunflower Elementary schools are all located very near the proposed development. The initial zoning plan seems much more compatible with this neighborhood and child friendly.

Recently I attended the meeting held by the developers of the Peridian Group. After the new proposal for The Legends II was unveiled, I asked the developers if the new plan required new zoning. I was told Peridian group was not seeking rezoning. It is my understanding that they are indeed seeking rezoning. I am very frustrated that the information is being presented in such a misleading way to me and neighbors.

During the meeting with the Peridian Group, the developer claimed it is not profitable to carry on with the original plan. The new plan will be profitable to the Peridian Group at the expense of the neighborhood and the families that live here. If the new plan is approved the Peridian Group will gain profit while our property values decrease.

I have enjoyed the family atmosphere and sense of community in this neighborhood. I trust that the city of Lawrence will make the correct decision.

Thank you,



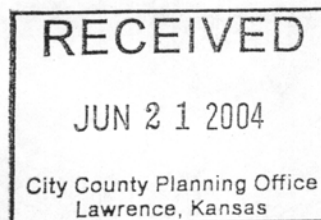
Zeki Oral

# League of Women Voters of Lawrence-Douglas County

P.O. Box 1072, Lawrence, Kansas 66044

June 20, 2004

Chairman David Burress  
Members  
Lawrence-Douglas County Planning Commission  
City Hall  
Lawrence, KS 66044



RE: ITEM NO. 6A: PRD-2 WITH RESTRICTIONS TO PRD-2; 12.5508 ACRES; SOUTH OF 24<sup>TH</sup> PLACE BETWEEN CROSSGATE DRIVE AND INVERNESS DRIVE and ITEM NO. 6B; PRELIMINARY DEVELOPMENT PLAN FOR THE LEGENDS AT KU, PHASE II; SOUTH OF 24<sup>TH</sup> PLACE BETWEEN CROSSGATE DRIVE & INVERNESS DRIVE.

Dear Chairman Burress and Planning Commissioners:

On June 21, 1999, the Lawrence-Douglas County League of Women Voters sent you a letter expressing our concern that instead of rezoning Inverness Park into holding zones for later development, the whole Inverness Park development was rezoned into higher intensity uses. The so-called planned areas given PRD zoning did not have development plans, nor was the PUD zoning conditioned for any restrictions other than for density. According to the Staff Report, "the previous development proposal for the subject property was as an assisted living facility and did not amend the overall density of the subject property." This remaining tract of PRD-2 zoned land is now the subject of requests for higher density and a Preliminary Development Plan for student housing—a major revision to the originally intended use of this site, and contrary to the hoped-for predictability of the PUD zoning.

The proposed use for this site, if not restricted beyond density, has the potential to allow an incompatible transition in terms of scale with neighboring single family uses. We suggest that the buffer area containing a berm and the row of townhouses on the west side of the site be required as a condition of the zoning to ensure that this buffering feature, at least the housing type, be binding.

We also support the Staff recommendation not to increase the density of this development. However, we believe that the Planning Commission has the option not only to limit the density, but also to restrict the PRD-2 zoning at this time to more compatible building types appropriate to the larger neighborhood area. This tract is directly across the street from single family homes, and is within close walking distance to the elementary and junior high schools. It seems unfortunate to use this space so close to the school for university student housing.

We suggest, therefore, that the Planning Commission not accept the Preliminary Development Plan for student apartment housing at this time, but, rather, encourage the developer to return to the concept of patio homes or more family-friendly housing types that would allow those seeking "starter homes" to locate close to these neighborhood schools.

Thank you for your consideration.

Sincerely yours,

Caleb Morse  
President

Alan Black  
Chairman, Land Use Committee

Item 6

**NO to HIGHER DENSITY MULTI-FAMILY close to Sunflower/Southwest**

**WHERE:** 24<sup>th</sup> Place and Inverness, Legends at KU Phase II – 1 block north of Sunflower/Southwest

**WHAT:** Planning Commission will vote on whether to **increase density** from 12 apartments per acre (current zoning) to **13.7** apartments per acre

**WHEN:** Wednesday August 25, 6:30 pm – **Please attend!!!**  
City Commission Room, First Floor, City Hall 6<sup>th</sup> and Massachusetts

**BACKGROUND:** The Planning Commission voted *unanimously* at their June meeting to *increase the density* to 13.7 apartments per acre. Planning Staff had recommended a denial.

The developer failed to notify all property owners within 200 ft. of the affected area as required by law, so they were required to start the process over.

- See reverse for a map of the location for this development.
- Go to [www.opposethelegends.com](http://www.opposethelegends.com) for additional information.
- Call Rob or Jamie Hulse (393-2943) or email [rjhulse@sunflower.com](mailto:rjhulse@sunflower.com) with questions.

**HOW CAN YOU MAKE A DIFFERENCE?**

If you cannot attend, and if you are concerned about the **addition of over 12 acres of multi-family development and approximately 172 more apartments targeted to KU students 1 block from our schools...**

- Email or write a letter to the Planning Commission
- **All written communication must be received by no later than noon Monday 8/23**
  - Lawrence Douglas County Metropolitan Planning Office  
P.O. Box 708  
Lawrence KS 66044-0708  
Fax: 832-3160  
Email: Sandra Day, City/County Planner [sday@ci.lawrence.ks.us](mailto:sday@ci.lawrence.ks.us)
- It is important to include the following statements (or you may sign the letter below and send it in also):

Dear Planning Commission:

- I/We *do not support* an increase in density for the Legends at KU, Phase II.
- I/We are *concerned for the safety* of the children walking and riding bikes to school with the increased college student car traffic on Inverness.
- The increased density is not supported by Horizon 2020.
- We are also concerned about the integrity of our neighborhoods.

Sincerely,

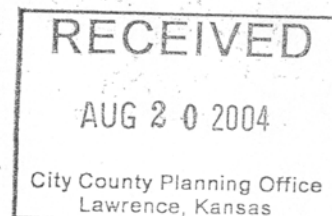
Peter V. Deana C. Shenouda 8/19/04

Full legal name (print)

Date

4100 Teal Dr. Lawrence, KS 66047

Address





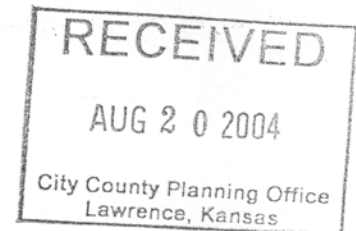
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Sincerely,

Mark Allan Robinson 8/18/04  
Full legal name (print) Date

4312 W. 24th Terrace  
Address

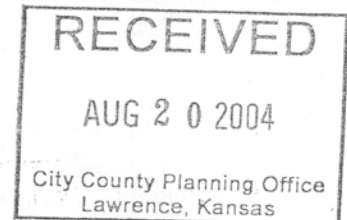


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Sincerely,

Mark J. Chang  
Full legal name (print) Date

2433 Jacob Ave, Lawrence, Ks. 66047  
Address



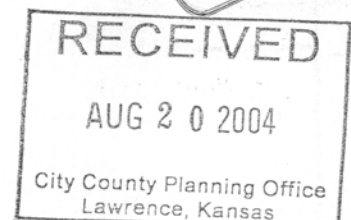
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Sincerely,

Eddie + Wendy Wagoner 8/18/04  
Full legal name (print) Date

4212 Helianthus Dr.  
Address



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Sincerely,

*Kristi J. Bradley, cum*

*Kristi J. Bradley, cum*

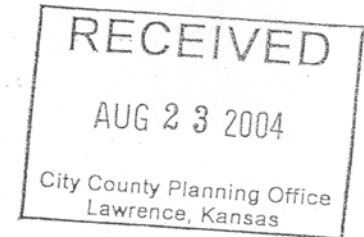
Full legal name (print)

*8-19-04*

Date

*4416 W. 24th PL Lawrence, KS 66047*

Address



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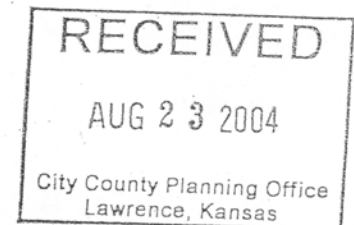
*GRACIAN MARIATHASAN*

Full legal name (print)

Date

*4409 W 25<sup>th</sup> PLACE*

Address



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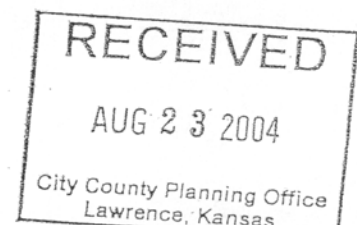
*MORLEY & ROWENA BREGMAN*

Full legal name (print)

Date

*4404 W. 25<sup>th</sup> PL, LAWRENCE KS 66047*

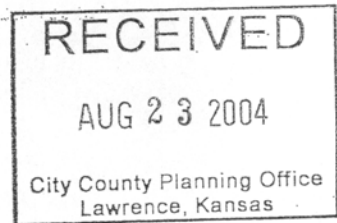
Address



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Sincerely,

Keith and Karen Ely 8/21/04  
Full legal name (print) Date  
4194 Blackjack Oak Dr 66047  
Address

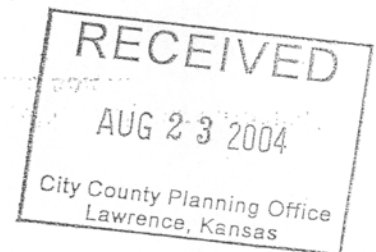


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Sincerely,

Carrie A. Taber 8/21/04  
Full legal name (print) Date  
2604 Prairie Elm Dr., Lawrence, Ks 66047  
Address

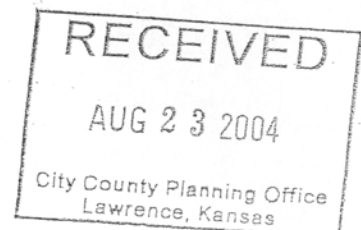


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- We are also concerned about the integrity of our neighborhoods.

Sincerely,

CHARLES ALLDREDGE 8-20-04  
Full legal name (print) Date  
2678 S Red Cedar Dr  
Address



## NO to HIGHER DENSITY MULTI-FAMILY close to Sunflower/Southwest

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**WHAT:** Planning Commission will vote on whether to **increase density** from 12 apartments per acre (current zoning) to 13.7 apartments per acre

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- Call Rob or Jamie Hulse (393-2943) or email [rjhulse@sunflower.com](mailto:rjhulse@sunflower.com) with questions.

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  - Lawrence Douglas County Metropolitan Planning Office  
P.O. Box 708  
Lawrence KS 66044-0708  
Fax: 832-3160  
Email: Sandra Day, City/County Planner [sday@ci.lawrence.ks.us](mailto:sday@ci.lawrence.ks.us)
- It is important to include the following statements (or you may sign the letter below and send it in also):

Dear Planning Commission:

*We have just blocks from the school we*

- I/We *do not support* an increase in density for the Legends at KU, Phase II.
- I/We are *concerned for the safety* of the children walking and riding bikes to school with the increased college student car traffic on Inverness.
- The increased density is not supported by Horizon 2020.
- We are also concerned about the integrity of our neighborhoods.

Sincerely,

*Kathie Nichols*

*Patrick ?*

*Patrick ? Kathie Nichols 8/18/04*

Full legal name (print)

Date

*4160 Blackhawk Oak Drive*

Address

*Lawrence, KS 66047*

RECEIVED

AUG 20 2004

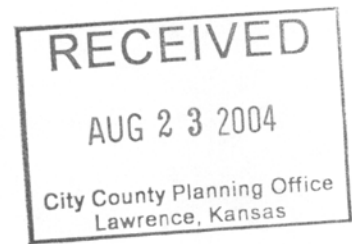
City County Planning Office  
Lawrence, Kansas



**League of Women Voters of Lawrence-Douglas County**

P.O. Box 1072, Lawrence, Kansas 66044

23 August, 2004



Chairman John Haase  
Members  
Lawrence-Douglas County Planning Commission  
City Hall  
Lawrence, KS 66044

RE: ITEM NO. 6A: PRD-2 WITH RESTRICTIONS TO PRD-2; 12.5508 ACRES; SOUTH OF 24<sup>TH</sup> PLACE BETWEEN CROSSGATE DRIVE AND INVERNESS DRIVE and ITEM NO. 6B; PRELIMINARY DEVELOPMENT PLAN FOR THE LEGENDS AT KU, PHASE II; SOUTH OF 24<sup>TH</sup> PLACE BETWEEN CROSSGATE DRIVE & INVERNESS DRIVE.

Dear Chairman Haase and Planning Commissioners:

On June 21, 1999, the Lawrence-Douglas County League of Women Voters sent you a letter expressing our concern that instead of rezoning Inverness Park into holding zones for later development, the whole Inverness Park development was rezoned to higher intensity uses. The so-called planned areas given PRD zoning did not have development plans, nor was the PUD zoning conditioned for any restrictions other than for density. According to the Staff Report, "the previous development proposal for the subject property was as an assisted living facility and did not amend the overall density of the subject property." This remaining tract of PRD-2 zoned land is now the subject of requests for higher density and a Preliminary Development Plan for student housing—a major revision to the originally intended use of this site, and contrary to the hoped-for predictability of the PUD zoning.


The proposed use for this site, if not restricted beyond density, has the potential to allow an incompatible transition in terms of scale with neighboring single family uses. We suggest that the buffer area containing a berm and the row of townhouses on the west side of the site be required as a condition of the zoning to ensure that this buffering feature, at least the housing type, be binding.

We also support the Staff recommendation not to increase the density of this development. However, we believe that the Planning Commission has the option not only to limit the density, but also to restrict the PRD-2 zoning at this time to more compatible building types appropriate to the larger neighborhood area. This tract is directly across the street from single family homes and is within close walking distance to the elementary and junior high schools. It seems unfortunate to use this space so close to the school for university student housing.

We suggest, therefore, that the Planning Commission not accept the Preliminary Development Plan for student apartment housing at this time, but, rather, encourage the developer to return to the concept of patio homes or more family-friendly housing types that would allow those seeking "starter homes" to locate close to these neighborhood schools.

Thank you for your consideration.

Sincerely yours,

  
Caleb Morse  
President



Alan Black  
Chairman, Land Use Committee

August 23, 2004

Dear Planning Commissioners:

- *I/We do not support* an increase in density for the Legends at KU, Phase II.
- *I/We are concerned for the safety* of the children walking and riding bikes to school with the increased college student car traffic on Inverness.
- The increased density is not supported by Horizon 2020.
- We are also concerned about the integrity of our neighborhoods.

When the 160 acre Getto tract was originally zoned, we (Rob & I and numerous neighbors) met several times with the developer. At that time, the only neighborhood affected was our 4 streets in Stone Meadows South #2.

We were told that...

- the area west of the Legends at KU Phase II would be a senior housing development with one level duplexes on a cul-de-sac and a landscaped berm adjacent to Inverness, a building of apartments directly east of the cul-de-sac, and another building for assisted living adjacent to the Legends at KU Phase I.
- We were specifically told by the developer that they had worked with this senior housing owner before on another project and showed us pictures.

We were also told that...

- the developer believed that the senior housing project would be the most compatible use for that location as a transition between student multi-family to the west (seniors in the assisted living building would enjoy watching the activity of college students to the west) and the single family neighborhood and 2 schools to the west of Inverness, and to the projected single family neighborhood to the south.
- We were told by the developer that the seniors would most likely have fewer cars and drive less than college students, and also have fewer visitors on a daily basis, which was a factor in their site plan.
- The one level duplexes would also be an appropriate transition to the sidewalk where K-9 students walk to/from school, and also to the single family neighborhood to the west.

\*\*\*\*\*No one opposed the zoning because we all agreed that the senior housing would be an appropriate transition to our single family neighborhood, to the future single family neighborhood to the south, to the sidewalks where K-9 students walk and ride bikes, and to two schools. There would have been strong opposition if we had believed that there would be 25 acres of contiguous dense multi-family KU student population basically across the street from Southwest and 1 block to Sunflower elementary.

A senior housing project requested increased density from a prior planning commission and was denied, and subsequently the project was abandoned. \*\*\*\*\*No one in the area opposed the density request at that time, because we believed the senior housing development was an appropriate transition.\*\*\*

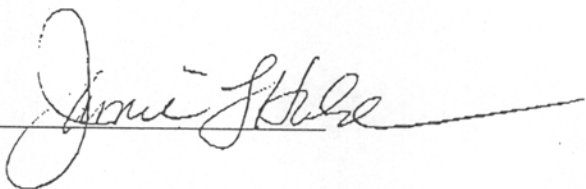
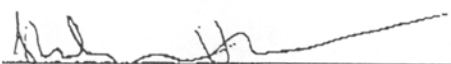
We feel very frustrated that the planning commissioners did not support what would have been a very appropriate multi-family transition, with significantly fewer cars, and now this planning commission is supporting increased density for a project targeting KU students. The previous request was denied citing incompatibility with Horizon 2020. We believe the current Planning Commission needs to come to the same conclusion, especially since the use is not as compatible as a transition to the surrounding neighborhoods and schools. Please keep in mind Raintree Montessori students walk along Inverness to Sunflower/Southwest also. Bishop Seabury is within walking distance of the area also.

Aberdeen North and South along Wakarusa have 290 apartments, which is close to our schools. There are 200 units in Legends at KU Phase I, and Phase II will add an additional 172 units. That is 490 apartments currently, and potentially 662 apartments, within walking distance to 2 schools. There are no other schools in town with that many apartments so close.

Commissioner Jennings states in the minutes from the June meeting that Sunflower and Southwest are at capacity. Although he is correct regarding Southwest, Sunflower has not been at capacity for at least the last 5 years. It is also worth noting, our district has been losing student enrollment for the past several years which has created a huge problem with the budget for the school district.

We understand zoning, since we sell real estate. We understand the targeted tenant has no bearing on your decision. But it is important for you to consider the number of cars per unit, and KU students will have friend/boyfriend/girlfriend visitors also, which is additional traffic. That is different than the number of cars that would be on Inverness if a senior housing development that included assisted living was built in this location.

Sincerely,



Robert M. and Jamie L. Hulse  
Full legal name (print)

8/23/04  
Date

4403 Gretchen Ct., Lawrence, KS 66047  
Address

**Sandra Day**

---

**From:** Dr Kathie Nichols [drknichols@sunflower.com]

**Sent:** Thursday, August 19, 2004 6:07 AM

**To:** sday@ci.lawrence.ks.us

**Subject:** increased density Legends at KU Phase II

Dear Ms. Day:

My family lives in this neighborhood at 4160 Blackjack Oak Drive. Already, the increased traffic from the apartments have affected the safety of the neighborhood. College students drive through the roundabouts, do not stop at cross walks, etc. We do not support an increase in density for the Legends at KU Phase II. We are concerned for the safety of the children walking and riding bikes to school. The increased density is not supported by Horizon 2020. We are also concerned about the integrity of the neighborhood.

The community does not need more rental space. As I drive across town I see for rent sign at apartment complexes, houses, and duplexes. Adding density is about money not need, not safety, not the integrity of Lawrence as a city of quality.

Please hear our request to stop this increase in density.

Dr. Kathie Nichols  
Patrick Nichols, I.D

New Comm.  
08-2004



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**From:** Troy and Andrea [mailto:hodapp@sunflower.com]

**Sent:** Sunday, June 20, 2004 9:23 PM

**To:** thomasjennings@hotmail.com; geichhorn@earthlink.com; dennis.lawson@fcbw.com; rschenewerk@rjfs.com; suserikson@jerickson.com; rockdoc@sunflower.com; bojojohnson@hotmail.com; TRjordanmd@hotmail.com; jhaase@sunflower.com; D-BURRESS@UKANS.EDU; cfolkmann@ci.lawrence.ks.us; bdyer@ci.lawrence.ks.us; rstains@ci.lawrence.ks.us; bhauschild@ci.lawrence.ks.us; sday@ci.lawrence.ks.us; dgutert@ci.lawrence.ks.us; kambler@ci.lawrence.ks.us; lzollner@ci.lawrence.ks.us; asaker@ci.lawrence.ks.us; ppatterson@ci.lawrence.ks.us; bahrens@ci.lawrence.ks.us; jtully@ci.lawrence.ks.us; sstogsdill@ci.lawrence.ks.us; lfinger@ci.lawrence.ks.us

**Subject:** Ledgends at KU, Phase II Zoning Change Request

Dear Planning Commission Members and Planning Staff,

We recently received notice of a zoning change from 12 dwelling units per acre to 13.7 dwelling units per acre at the Legends at KU, Phase II development. My wife and I are concerned about the increased density request, and the impact it will have on our neighborhood. The higher density would add approximately 30 units to the development, which I would estimate would add about 40 to 60 vehicles due to this change. Our neighborhood is very peaceful and tight knit, and we do not want the additional traffic to impact the way we enjoy our lives, let alone the negative impact it will have on our property values.

We bought our house 9 months ago, and at that time, were assured that a retirement community consisting of 1 story villas was planned for the vacant lot at the southeast corner of 24th Place and Inverness. You might appreciate our surprise when we recently learned that the original plan was scrapped and we would now be looking at 3 story apartment buildings just beyond our back yard.

We understand that the current lot is zoned for 12 units per acre, and there is not much that can be done to change that. However, we want to maintain the integrity of our neighborhoods and are not in support of the higher density levels that are being requested. Therefore, please consider denying the request by the Legends at KU developers for the higher zoning density.

Please feel free to email or call if you have any questions or need further information regarding our concerns.

Thank you for your consideration,

Troy and Andrea Hodapp  
4308 Helianthus Drive  
(785) 832-8930



Amy Saker

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**From:** Angie Evers [acevers@sunflower.com]

**Sent:** Monday, June 21, 2004 12:01 PM

**To:** d-burress@ukans.edu; jhaase@sunflower.com; triordanmd@hotmail.com;  
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**Subject:** Zoning Change Request for The Legends at KU, Phase II

Commissioners and Planning Staff,

My family of four lives at 4218 Tamarisk Ct. in Sunflower Park neighborhood. As a very near neighbor to The Legends at KU, Phase I and Phase II, we are opposed to a zoning change from 12 dwelling units per acre to 13.7 dwelling units per acre as is requested by The Legends. Any development of multi-family dwellings impacts any neighborhood, granted, but we believe this zoning change would only increase the burden of more traffic in this quiet area, near two schools, and may further decrease single-family property values. Having moved from a very high density area (Ousdahl Road south of 23<sup>rd</sup> Street), we are proud of the quiet, safe, comfortable feeling of our new neighborhood. We want to maintain the integrity of our area. We are not in support of the higher density levels that are being requested. We hope that you will consider our opinions in making your decision regarding this zoning change request.

Thank you for your time,

James & Angela Evers  
4218 Tamarisk Ct.  
Lawrence, KS 66047  
785-865-1662  
acevers@sunflower.com

yes  
this one